

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

**RECEIVED**

MAR - 8 2004

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of	)	
	)	
Amendment of Section 73.202(b)	)	MB Docket No. _____
Table of Allotments	)	RM- _____
FM Broadcast Stations	)	
(Louisburg and Hillsborough, North Carolina)	)	

To: Chief, Audio Division  
Media Bureau

**PETITION FOR RULE MAKING**

New Century Media Group, LLC ("New Century"), licensee of Station WHLQ(FM), Channel 273A, Louisburg, North Carolina ("WHLQ"), by its counsel and pursuant to Sections 1.401 and 1.420(i) of the Commission's rules, 47 C.F.R. §§ 1.401, 1.420(i), hereby petitions the Commission to specify a new community of license for WHLQ. In particular, New Century requests that the Commission amend the Table of FM Allotments, 47 C.F.R. § 73.202(b), by (i) deleting Channel 273A from Louisburg, North Carolina, (ii) adding Channel 273A to Hillsborough, North Carolina, and (iii) modifying the license for WHLQ(FM), Louisburg, North Carolina, to specify "Hillsborough, North Carolina" as the station's community of license. In support of this Petition, New Century shows the following:

New Century is the licensee of WHLQ(FM), Louisburg, North Carolina. Pursuant to Section 1.420(i) of the Commission's rules, New Century is requesting that the Commission amend the Table of FM Allotments by changing WHLQ's community allotment from Louisburg, North

Carolina, to Hillsborough, North Carolina.<sup>1</sup> See Modification of FM and TV Authorizations to Specify a New Community of License, *Report and Order*, 4 FCC Rcd 4870 (1989), *recon. granted in part*, *Memorandum Opinion and Order*, 5 FCC Rcd 7094 (1990). As the accompanying Technical Statement shows, which is incorporated herein by reference, Channel 273A can be allotted to Hillsborough, North Carolina, with a site restriction of 10 kilometers northeast of the community to avoid shortspacing to WJMH(FM), Channel 271C0, Reidsville, North Carolina, and to WIOZ-FM, Channel 273A, Southern Pines, North Carolina.

New Century's proposed allotment of WHLQ to Hillsborough, North Carolina, is mutually exclusive with WHLQ's present allotment at Louisburg, North Carolina. This proposed change is permissible under Section 1.420(i) which expressly authorizes the Commission to "modify the license or permit of an FM or television broadcast station to specify a new community of license where the amended allotment would be mutually exclusive with the licensee's or permittee's present assignment."

New Century's proposal will result in a preferential arrangement of allotments pursuant to the Commission's FM allotment priorities as set forth in Revision of FM Assignment Policies and Procedures, *Second Report and Order*, 90 FCC 2d 88 (1982) ("*FM Assignment Policies*"). The Commission's FM allotment priorities are (1) first full-time aural service, (2) second full-time aural service, (3) first local service, and (4) other public interest matters. Co-equal weight is given to priorities (2) and (3).

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<sup>1</sup> In MM Docket No. 02-40, the former licensee of WHLQ had filed a counterproposal to amend the Table of FM Allotments by reallocating Channel 273A from Louisburg to Rolesville, North Carolina. Simultaneously with the filing of this Petition, New Century is filing a Notification of Withdrawal of that counterproposal.

Hillsborough, North Carolina, population 5446 (Census 2000)<sup>2</sup>, is the county seat of Orange County (population 118,227) and contains the county's government offices and county courthouse. Hillsborough has no broadcast stations licensed to it, making it the largest county seat in North Carolina without a radio station.<sup>3</sup> During the 1990s, Hillsborough grew by nearly 28%.

Hillsborough itself is governed by a mayor and town council together with a town manager. The town provides water and sewer service to its residents and operates police and fire departments. Hillsborough is a designated place, as defined by the U.S. Census for North Carolina. Hillsborough has been designated part of the Durham, North Carolina, Urbanized Area; however, Hillsborough is not interdependent with Durham, as shown below, and, from the proposed allocation site, the 70 dBu contour provides service to only 37% of the Durham Urbanized Area. The protected service contour of a relocated WHLQ, operating on Channel 273A at maximum facilities at the reference site proposed for Hillsborough (36° 06' 49" N, 79° 00' 20" W) will provide service to 378,247 persons in 2516 square kilometers. This represents a net gain of 241,452 persons, or 177%, over the currently licensed WHLQ facility.

Allotment of Channel 273A to Hillsborough, North Carolina, will provide the community with its *first local service*. At the same time, deletion of the allotment of Channel 273A from Louisburg, North Carolina, will not deprive that community of its only local service, since AM Station WYRN (1480 kHz) will remain licensed to Louisburg. WYRN and WHLQ are both owned by New Century. Indeed, first local service to Hillsborough is preferable to second local service to Louisburg.

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<sup>2</sup> All population figures are Census 2000 unless otherwise indicated.

<sup>3</sup> Of the 100 county seats in North Carolina, 17 do not have a broadcast station licensed to them. Hillsborough is the largest of these seventeen.

Pursuant to the Commission's policies set forth in *Faye and Richard Tuck*, 3 FCC Rcd 5374 (1988), Hillsborough, although a part of the Durham Urbanized Area, is not interdependent with Durham, and, therefore, New Century should be entitled to an allotment preference for providing first local transmission service to Hillsborough. A *Tuck* analysis involves weighing the relative equities of three principal factors: (a) the signal population coverage; (b) the size and proximity of the specified community to the central city; and (c) the interdependence of the specified community to the central city of the "urbanized area." This last factor is the most important. As the Commission has stated:

In assessing the interdependence of the specified community with the central city, we will consider the following characteristics: (1) the extent to which community residents work in the larger metropolitan area, rather than the specified community; (2) whether the smaller community has its own newspaper or other media that covers the community's local needs and interests; (3) whether community leaders and residents perceive the specified community as being an integral part of, or separate from, the larger metropolitan area; (4) whether the specified community has its own local government and elected officials; (5) whether the smaller community has its own telephone book provided by the local telephone company or zip code; (6) whether the smaller community has its own commercial establishments, health facilities, and transportation systems; (7) the extent to which the specified community and the central city are part of the same advertising markets; and (8) the extent to which the specified community relies on the larger metropolitan area for various municipal services such as police, fire protection, schools, and libraries.<sup>4</sup>

Under these criteria, New Century's Petition warrants an allotment preference.

*Signal population coverage.* As noted above, a relocated WHLQ, operating at maximum facilities at the reference site proposed, will provide service to 378,247 persons. However, the 70 dBu contour provides service to only 37% of the Durham Urbanized Area, which is less than the

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<sup>4</sup> *Tuck* at ¶ 36.

50% trigger that would require an independent *Tuck* analysis regardless of the Urbanized Area boundaries.

*Size and proximity.* Hillsborough is 2.9% of the size of Durham (population 187,035) and is 12.5 miles distant to Durham in the adjoining county to the east. However, Hillsborough is nearly equidistant with other larger communities with which it shares an affinity of interests every bit as much as with Durham while, at the same time remaining independent as the county seat: Chapel Hill (population 48,715), 10.9 miles to the south (and located in the same county) and Burlington (population 44,917), 19.1 miles to the west in the adjoining county.

*Independence—work patterns.* Of the 2647 workers age 16 and older residing in Hillsborough, 664 (25%) work in Hillsborough. The remaining 75% of workers, however, do not necessarily commute to Durham. Some 1260 workers (48%) work in Orange County, not in Durham. Of the remaining 1387 workers, 281 did not even work in the Metropolitan Statistical Area of which Hillsborough and Durham are both a part, making it clear that, at maximum, only 1106 workers (42%) may commute to Durham (assuming every one of them commutes to Durham and not to another city located in the same MSA). Therefore, more workers work in and around Hillsborough and its home county than can possibly commute to Durham.

*Independence—local media.* WHLQ would be Hillsborough's first radio station. However, Hillsborough is served by one local weekly newspaper, *The News of Orange County*, which has been published in Hillsborough since 1893 and which helps to serve the community's local needs and interests.

*Independence—perceptions.* Hillsborough is a historic town, with an important, vital, and well-preserved historic district. In fact, Hillsborough is celebrating its 250th anniversary this year. Hillsborough is not now, nor has it ever been, perceived as connected with, let alone interdependent

with, Durham. The historical distinctness and importance of Hillsborough is illustrated, in part, by the fact that each of Raleigh, Durham, and Chapel Hill, the principal cities of the nearby metropolitan area, have roads named “Hillsborough,” which, in the past, were major roadways connecting these cities with an important county seat. As the attached letter from Hillsborough Mayor Joe Phelps demonstrates, the residents of Hillsborough view themselves as part of the community of Hillsborough; the suggestion that Hillsborough is part of, or interdependent with, Durham, is laughable to these residents. *See Exhibit A, Letter from Joe Phelps, Mayor of Hillsborough.*

*Independence—local government.* Hillsborough has its own local government, being governed by an elected mayor and town council and managed through a hired town manager. Hillsborough’s local government has several civilian advisory boards (Water and Sewer Advisory Board, Planning Board, Board of Adjustment, Historic District Commission, Parks & Recreation Board, and Tree Board) as well as several departments staffed by professionals (Administration/Personnel, Engineering/Public Utilities, Finance, Fire Marshal/Code Enforcement, Motor Pool, Planning, Police, and Public Works). In addition to its local government, Hillsborough is also home to the governmental functions of Orange County, of which it is the county seat. No part of local governmental service is provided to Hillsborough by Durham.

*Independence—telephone book and zip code.* There are two telephone books for Hillsborough, one is Hillsborough only, the other is Hillsborough/Mebane.<sup>5</sup> Local telephone service in Hillsborough is provided by Sprint; local telephone service in Durham is provided by GTE (Verizon). A telephone call from Hillsborough to Durham is not a local call unless the consumer

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<sup>5</sup> Mebane (population 7284) is a town to the west of Hillsborough (i.e., the opposite direction of Durham).

subscribes for a fee for the extended area coverage plan. Hillsborough has its own zip code (27278).

*Independence—local infrastructure.* Hillsborough has numerous local businesses, including, among dozens of others, F.B. Johnson Company, PHE, DOL Technologies, Daniel Boone Country Store, Ellis Enterprises, Flying Carpets, Hillsborough Artists Cooperative, Larry King Chevrolet/Buick, Sloans Auto Parts, Dual Supply, Northside Cabinets, Orange Paint & Decorating, Kent Photography, and Garlands Gourmet Mushrooms & Truffles. Hillsborough has numerous medical offices, although it does not have its own hospital. Hillsborough is located at the major intersection of I-40 and I-85.

*Independence—advertising markets.* Hillsborough is on the periphery of a large metropolitan area in North Carolina known as the Triangle. The “three vertices” of the Triangle are Raleigh, Durham, and Chapel Hill, and the population of the metropolitan area exceeds one million people. Consequently, advertising rates of many media located within the Triangle are much higher than many small businesses can afford. Hillsborough, although physically located outside of the “Triangle,” is, naturally, affected by the advertising market for the Triangle overall, but local advertisers do have the local weekly newspaper, *The News of Orange County*, in which to advertise at more modest rates. It is New Century’s intention, if WHLQ’s community is changed to Hillsborough, to provide a local advertising outlet for local businesses in Hillsborough and Orange County.

*Independence—municipal services.* Hillsborough has its own police and fire departments. In North Carolina, local school districts are delineated within county boundaries and are either (1) split between city school districts and county school districts or (2) are county-wide unified school districts. In Orange County, Hillsborough is part of the county school district, although there is a separate school district for Chapel Hill and Carrboro. Of the seven county elementary schools, five

have Hillsborough addresses; both county middle schools have Hillsborough addresses; and both county high schools have Hillsborough addresses. The main branch of the Orange County Public Library is located in Hillsborough (there is only one other, much smaller branch located in a school in Carrboro). Water and sewer are provided by Hillsborough. Hillsborough has its own parks department, operates several municipal parks, and has recently passed an \$800,000 bond issue to create more parks. No municipal services are provided by the City of Durham or Durham County.

As can be seen, the individual *Tuck* factors conclusively demonstrate that Hillsborough is independent from Durham and that New Century should be entitled to an allotment preference for providing first local transmission service to Hillsborough.

If the Commission allots Channel 273A to Hillsborough, New Century will promptly file an application for a construction permit to operate WHLQ at Hillsborough, North Carolina, and, upon grant, will promptly construct and operate the facilities.

### **Conclusion**

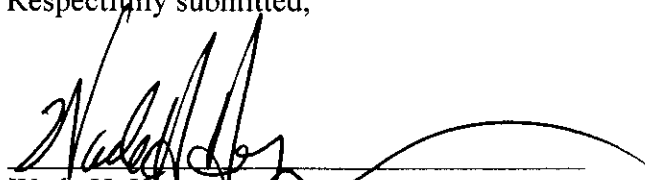
For the foregoing reasons, New Century respectfully requests that the Commission grant the instant Petition and amend the Table of FM Allotments as follows:

	<u>North Carolina</u>	
	<i>Present</i>	<i>Proposed</i>
Louisburg	273A	-----
Hillsborough	-----	273A

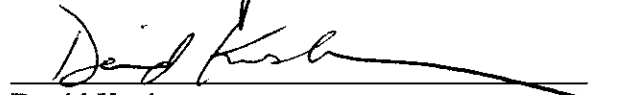
New Century also respectfully requests that the Commission modify WHLQ's license accordingly.



Respectfully submitted,



Wade H. Hargrove



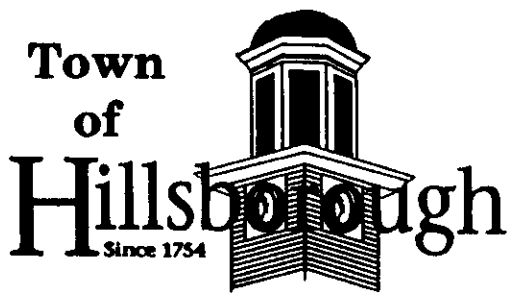
David Kushner

BROOKS, PIERCE, McLENDON,  
HUMPHREY & LEONARD, L.L.P.  
First Union Capitol Center, Suite 1600  
150 Fayetteville Street Mall (27601)  
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Raleigh, North Carolina 27602  
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*Counsel to New Century Media Group, LLC*

March 8, 2004

## **Exhibit A**



To Whom It May Concern:

This letter is in reference to the intention of New Century Media Group to locate an FM radio station in the Town of Hillsborough. As Mayor of Hillsborough, I can unequivocally state that the Town would enthusiastically welcome the opportunity to become the community of license for such a station. Hillsborough has never had a radio station focused on the local community. The Town is served by *The News of Orange County*, a weekly newspaper that has been published here for more than a century, but the prospect that our historic community may have a second local media outlet to inform and entertain our citizens and to help our other local businesses grow and prosper will be a significant development for the Town.

It is my understanding that whether the Town of Hillsborough can become a community of license of a radio station under the policies and regulations of the Federal Communications Commission may turn, in part, on whether Hillsborough is or is not independent from the City of Durham and that this is because Hillsborough is part of the Durham Urbanized Area as determined by the U.S. Census Bureau. When I first heard this, I must admit that I nearly laughed out loud. Let me assure whomever it concerns that the Town of Hillsborough is completely independent from and not dependent in any way on our neighbor to the east.

Hillsborough is a historic town, celebrating its 250th anniversary this year. Hillsborough was an important center of political activity during the colonial and Revolutionary period, and this history remains important to it to this day. More than 100 late 18th and early 19th century structures still stand in and about Hillsborough in its well-preserved and beloved historic district.

The Town has been and continues to be the county seat of Orange County. The Town itself is governed by an elected mayor and board of five commissioners. Our local government has several civilian advisory boards—Water and Sewer Advisory Board, Planning Board, Board of Adjustment, Historic District Commission, Parks & Recreation Board, and Tree Board—as well as several departments staffed by professionals—Administration/Personnel, Engineering/Public Utilities, Finance, Fire Marshal/Code Enforcement, Motor Pool, Planning, Police, and Public Works. All municipal services—police, water, sewer, and garbage—are handled through the Town. The voters of Hillsborough and Orange County recently passed an \$800,000 bond issue to improve our town park system.

Hillsborough contains five elementary schools, two middle schools, and two high schools. The principal branch of the Orange County Public Library is located in town.

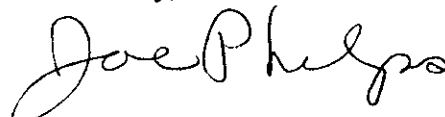
As one can see, all essential services are provided by and/or located in the Town of Hillsborough. None of these services are provided by or received from Durham or any other municipality.

The people who call Hillsborough home are proud of the Town's long heritage and independence. Although we are located on the periphery of a large metropolitan area, Hillsborough retains that sense of individual community and small town charm that so many people find attractive. I would be shocked if one could find, out of the Town's 5500 residents, even a dozen who would perceive the Town to be a virtual appendage of Durham.

Once again, on behalf of the residents of Hillsborough, let me state that the Town would welcome the opportunity to become home to a local radio station.

Please do not hesitate to contact me if I can offer any further information or assistance.

Sincerely,

A handwritten signature in cursive script that reads "Joe Phelps". The signature is fluid and stylized, with the first and last letters of each word being capitalized and prominent.

Joe Phelps  
Mayor

**Appendix**  
**Technical Statement**

# GRAHAM BROCK, INC.

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BROADCAST TECHNICAL CONSULTANTS

**PETITION FOR RULE MAKING**  
**NEW CENTURY MEDIA GROUP, INC.**  
**RE-ALLOT CHANNEL 273A**  
**HILLSBOROUGH, NORTH CAROLINA**  
**February 2004**

## TECHNICAL EXHIBIT

*Copyright 2004*

**PETITION FOR RULE MAKING**  
**NEW CENTURY MEDIA GROUP, INC.**  
**RE-ALLOT CHANNEL 273A**  
**HILLSBOROUGH, NORTH CAROLINA**  
**February 2004**

**TECHNICAL STATEMENT**

1. This technical statement and attached exhibits have been prepared on behalf of New Century Media Group, LLC ("NCMG"), licensee of WHLQ, Channel 273A, Louisburg, North Carolina.<sup>1</sup> NCMG herein requests that Channel 273A be re-allotted from Louisburg, North Carolina, to Hillsborough, North Carolina. The proposed allotment to Hillsborough is mutually exclusive with the present WHLQ allotment at Louisburg, North Carolina.

**DISCUSSION**

2. The community of Hillsborough, North Carolina, is located in central Orange County, North Carolina. Hillsborough has a population of 5,446 persons.<sup>2</sup> The community is governed by a mayor and town council together with a town manager. Hillsborough provides water and sewer services to its residents and operates local police and fire departments.. Hillsborough presently has no licensed AM or FM services in the community. Hillsborough is located in the Durham Urbanized area, as defined by the U.S. Census. This will be addressed further below.

**PROPOSAL**

3. Channel 273A can be allotted to Hillsborough, North Carolina, with a site restriction of 10 kilometers northeast of the community to avoid shortspacing WJMH, Channel 271C0,

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1) In MM Docket #02-40, the former licensee of WHLQ submitted a request to change the community of license of WHLQ from Louisburg, North Carolina, to Rolesville, North Carolina. That request has been withdrawn.

2) 2000 U.S. Census of North Carolina

Reidsville, North Carolina<sup>3</sup> and WIOZ-FM, Channel 273A, Southern Pines, North Carolina The reference site for the proposed allotment of Channel 273A at Hillsborough, North Carolina, is North Latitude 36° 06' 49" and West Longitude 79° 00' 20".

4. Attached as Exhibit #1 is a map depicting the area to locate a transmitter site for Channel 273A at Hillsborough, North Carolina. Further, attached as Exhibit #2 is a §73.207 spacing study demonstrating that Channel 273A meets the Commission's minimum distance separation requirements to all licensed, applied for or proposed facilities, with the exception of the licensed facilities of WHLQ. From the proposed reference site, a theoretical 3.16 mV/m (70 dBu) signal will be provided over Hillsborough.

5. Therefore, NCMG herein requests the following changes in §73.202 of the Commission's rules.

**Hillsborough, North Carolina**

Present	Proposed
None	273A

**Louisburg, North Carolina**

Present	Proposed
273A	None <sup>4</sup>

- 
- 3) In MB Docket #03-47, WJMH's channel was downgraded from Channel 271C to Channel 271C0. The Report and Order is final, although, the license for WJMH has not yet been amended to specify Channel 271C0 in lieu of Channel 271C. WJMH is considered as a Class C0 facility at its licensed site for the purposes of this instant petition.
- 4) AM station WYRN, 1480 kHz, will remain licensed to Louisburg, North Carolina. It is noted that NCMG is also the licensee of WYRN.



## **PUBLIC INTEREST**

6. The allotment of Channel 273A to Hillsborough, North Carolina, will provide that community with its first locally licensable FM channel, without depriving Louisburg of its only local service, since AM station WYRN will remain licensed to Louisburg. A relocated WHLQ, operating on Channel 273A at Hillsborough, North Carolina, will provide 60 dBu (1.0 mV/m) service to 378,247 persons in 2,516.1 square kilometers.<sup>5</sup> This represents a net gain of 241,452 persons over the present licensed WHLQ facility.<sup>6</sup> It is noted that the proposed relocation of WHLQ to Hillsborough is great enough that the present 60 dBu contour of WHLQ will not be served by any portion of the proposed 60 dBu contour from the WHLQ, Hillsborough, facility (based on the proposed reference site). However, as indicated on Exhibit #3 and #3A, both the existing and proposed 60 dBu contours of WHLQ are served by a minimum of five existing full time FM services and are, therefore, considered well served.<sup>7</sup>

7. As indicated above, the community of Hillsborough is located in the Durham, North Carolina, Urbanized area. While from the proposed allocation site at Hillsborough, the 70 dBu contour, assuming uniform terrain, provides service to only 37.1 (less than 50%) of the Durham Urbanized area (see Exhibit #4), an analysis of the independence of Hillsborough from Durham is attached elsewhere in this instant petition. Once Channel 273A is allotted to Hillsborough, North Carolina, NCMG will submit the required minor change application for construction permit (FCC Form 301) seeking authority to make the changes to the facilities of WHLQ.

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5) Assuming a maximum Class A facility, with uniform terrain.

6) The licensed WHLQ facility provides 60 dBu service to 136,795 persons in 2,536.4 square kilometers.

7) There are numerous additional AM and FM facilities that also serve additional parts of the present and proposed WHLQ contours.

8. The foregoing technical statement was prepared on behalf of New Century Media Group, LLC, by Graham Brock, Inc., its Technical Consultants. All data related to FM facilities was extracted from the CDBS database and all population data was extracted from the PL 94-171 2000 census data files. We assume no liability for errors or omissions in either database that may be adverse to the requests contained herein.

Allocation Reference:  
Latitude: 36-06-49 N  
Longitude: 079-00-20 W  
ERP: 6.00 kW  
Channel: 273A

Graham Brock, Inc. - Broadcast Technical Consultants

APPOMATTOX CI ALLOCATION LIMIT

WJMH CO LIMIT

AREA TO LOCATE TRANSMITTER

36-10-00 N

079-20-00 W

079-10-00 W

079-00-00 W

078-50-00 W

079-30-00 W

WIOZ-FM LIMIT

Reference

SMITHFIELD PRM LIMIT

College  
Burlington  
Haw River  
Graham  
Alamance  
Saxapahaw

Hillsborough

Orange

Durham

36-00-00 N

Durham

Saxapahaw

WKIX LIMIT

Chapel Hill

EXHIBIT #1  
PETITION FOR RULE MAKING  
NEW CENTURY MEDIA GROUP, LLC  
ALLOT CHANNEL 273A  
HILLSBOROUGH, NORTH CAROLINA  
February 2004

Scale 1:300,000

0 4 8 12 km

35-50-00 N

**PETITION FOR RULE MAKING**  
**NEW CENTURY MEDIA GROUP, INC.**  
**RE-ALLOT CHANNEL 273A**  
**HILLSBOROUGH, NORTH CAROLINA**  
**February 2004**

**EXHIBIT #2**

Allocation study for Channel 273A Hillsborough, North Carolina  
Using proposed allocation site as reference

REFERENCE	CLASS = A	DISPLAY DATES
36 06 49 N		DATA 01-30-04
79 00 20 W	Current Spacings	SEARCH 02-03-04
----- Channel 273 - 102.5 MHz -----		

Call	Channel N. Lat.	Location W. Lng.	Ant	Dist Power	Azi HAAT	FCC	Margin
RADD	ADD 273A 36 00 55	Hillsborough 78 33 25		NC 0.0	0.0	115.0	-115.00
	> Petition for Rule Making						
WHLQ	LIC 273A 36 07 12	Louisburg 78 22 48	CN	NC 56.32 6.000 kW	89.1 100 M	115.0	-58.68
	New Century Media Group, LLC BLH-19920108KA						
WJMH	LIC 271C0 36 16 33	Reidsville 79 56 26	C	NC 86.00 100.000 kW	282.4 367 M	86.0	0.00
	Entercom Greensboro License BMLH-20010731ACA						
ALLO	RSV 271C0 36 16 33	Reidsville 79 56 26		NC 86.00 100.000 kW	282.4 450 M	86.0	0.00
	RM-10592						
WIOZFM	LIC 273A 35 09 04	Southern Pines 79 28 40	CN	NC 115.03 3.400 kW	201.9 133 M	115.0	0.03
	Meridian Communications BLH-19951107KB						
ALLO	RSV 274C1 37 19 55	Appomattox 78 47 45		VA 136.49 100.000 kW	7.8 299 M	133.0	3.49
WWMY	LIC-N 275A 35 47 38	Raleigh 78 45 41	NC	NC 41.75 1.700 kW	148.2 189 M	31.0	10.75
	WWND, L.L.C. BLH-19980702KF						
RADD	ADD 272A 35 28 21	Smithfield 78 19 43		NC 93.83 6.000 kW	139.2 100 M	72.0	21.83
WMJA	LIC 274B 37 28 07	Appomattox 79 00 27	CN	VA 150.36 22.000 kW	359.9 227 M	113.0	37.36
	Capstar TX Limited Partnership BLH-19890602KC						
WKIX	LIC 272A 35 23 52	Goldensboro 78 08 07	C	NC 111.81 2.100 kW	135.1 171 M	72.0	39.81
	New Age Communications, Inc. BLH-20010522AAF						
WERXFM	LIC-N 273C1 35 55 05	Columbia 76 20 48	NCN	NC 240.67 64.000 kW	94.4 210 M	200.0	40.67
	Lawrence Loesch & Marg. Loesch BLH-19990208KD						
971023	APP-Z 273A 37 11 11	Shawsville 80 09 43	ZCN	VA 157.68 0.140 kW	319.5 605 M	115.0	42.68
	Poor Mountain Broadcasting BPH-19971023MC						
971021	APP-D 273A 37 11 07	Shawsville 80 10 06	DCN	VA 157.96 0.150 kW	319.3 599 M	115.0	42.96
	Positive Alternative Radio BPED-19971021MF						

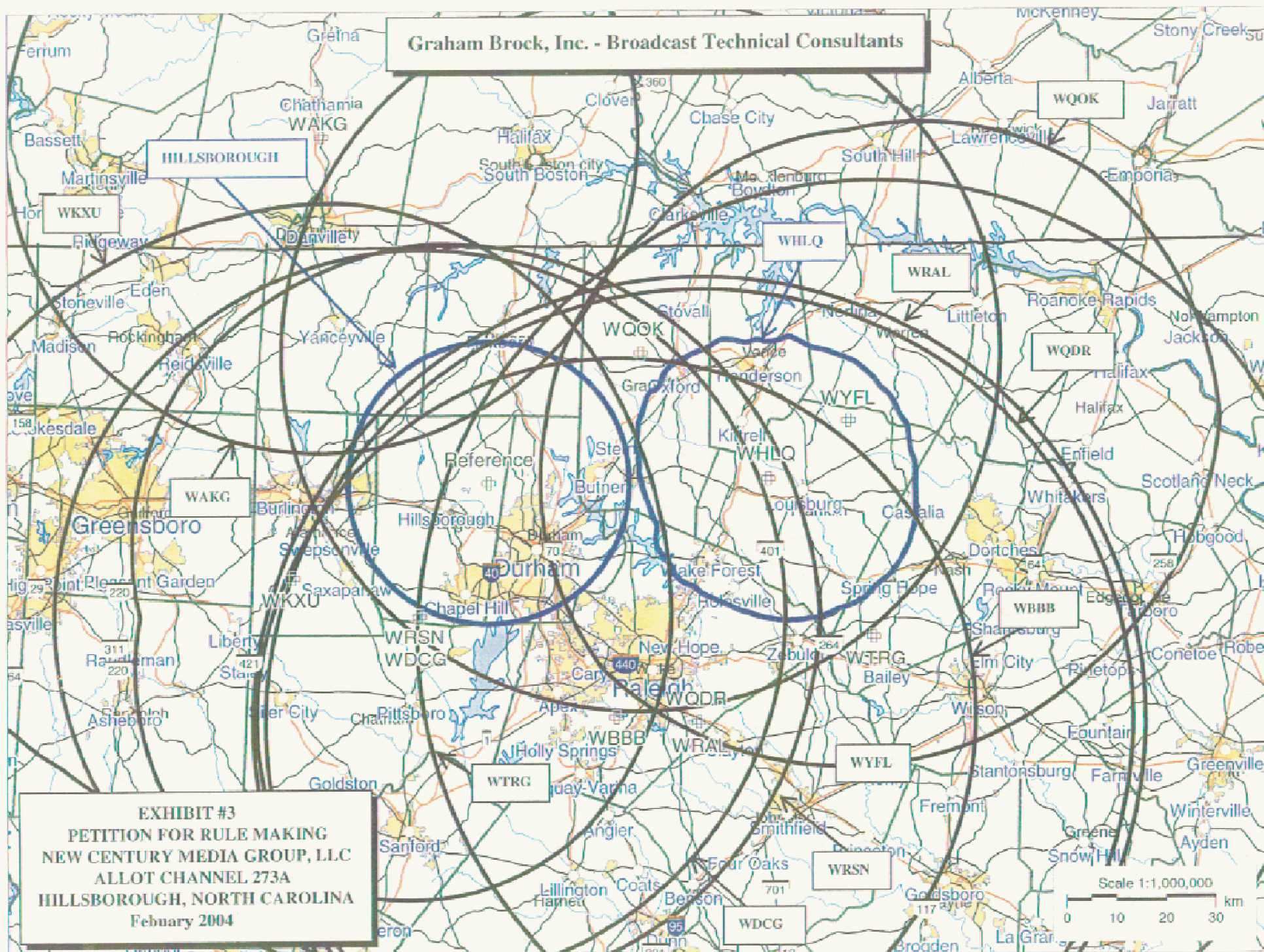
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**EXHIBIT #3A**

<b>Call Sign</b>	<b>Channel</b>	<b>City/State</b>	<b>60 dBu</b>
WBBB	241C	Raleigh, NC	72.4 km
WRAL	268C	Raleigh, NC	89.9 km
WQDR	234C	Raleigh, NC	87.4 km
WTRG	264C	Rocky Mount, NC	91.8 km
WRSN (DA)	230C	Burlington, NC	78.6 km
WKXU (DA)	266C	Burlington, NC	77.0 km
WQOK	248C1	South Boston, VA	72.3 km
WYFL (DA)	223C	Henderson, NC	73.2 km
WDCG	286C0	Durham, NC	73.6 km
WAKG	277C1	Danville, VA	63.7 km



**Graham Brock, Inc. - Broadcast Technical Consultants**



**EXHIBIT #3**

**PETITION FOR RULE MAKING  
NEW CENTURY MEDIA GROUP, LLC  
ALLOT CHANNEL 273A  
HILLSBOROUGH, NORTH CAROLINA  
February 2004**

Allocation Reference :  
N Lat. 36-06-49  
W Lng. 79-00-20

70 dBu Contour

Wilmington, NC 28404

**GRAHAM BROCK, INC.**  
BROADCAST TECHNICAL CONSULTANTS

**AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT**

State of Georgia    )  
St. Simons Island    ) ss:  
County of Glynn    )

**JEFFERSON G. BROCK**, being duly sworn, deposes and says that he is an officer of Graham Brock, Inc. Graham Brock has been engaged by New Century Media Group, Inc., to prepare the attached Technical Exhibit.

His qualifications are a matter of record before the Federal Communications Commission. He has been active in Broadcast Engineering since 1979.

The attached report was either prepared by him or under his direction and all material and exhibits attached hereto are believed to be true and correct.

*This the 13th day of February, 2004.*



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Jefferson G. Brock  
Affiant

*Sworn to and subscribed before me  
this the 13th day of February, 2004.*



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Notary Public, State of Georgia  
My Commission Expires: September 3, 2007